



4910-06-P

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Railroad Administration**

**[Docket No. FRA-2012-0006-N-2]**

### **Proposed Agency Information Collection Activities; Comment Request**

**AGENCY:** Federal Railroad Administration,

(FRA), Department of Transportation (DOT).

**ACTION:** Notice and Request for Comments

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**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.), this notice announces that the Information Collection Requirements (ICRs) abstracted below are being forwarded to the Office of Management and Budget (OMB) for review and comment. The ICRs describe the nature of the information collections and their expected burden. The Federal Register notice with a 60-day comment period soliciting comments on the following collections of information was published on November 17, 2011 (76 FR 71432).

**DATES:** Comments must be submitted on or before **[INSERT DATE 30 DAYS AFTER**

**DATE OF PUBLICATION IN THE FEDERAL REGISTER.]**

#### **FOR FURTHER INFORMATION CONTACT:**

Mr. Robert Brogan, Office of Safety, Planning and Evaluation Division, RRS-21, Federal Railroad Administration, 1200 New Jersey Ave., SE, 3<sup>rd</sup> Floor, Mail Stop 25, Washington, DC 20590 (telephone: (202) 493-6292), or Ms. Kimberly Toone, Office of Information Technology, RAD-20, Federal Railroad Administration, 1200 New Jersey Ave., SE, 3<sup>rd</sup> Floor, Mail Stop 35,

Washington, DC 20590 (telephone: (202) 493-6132). (These telephone numbers are not toll-free.)

#### **SUPPLEMENTARY INFORMATION:**

The Paperwork Reduction Act of 1995 (PRA), Pub. L. No. 104-13, Section 2, 109 Stat. 163 (1995) (codified as revised at 44 U.S.C. 3501-3520), and its implementing regulations, 5 CFR Part 1320, require Federal agencies to issue two notices seeking public comment on information collection activities before OMB may approve paperwork packages. 44 U.S.C. 3506, 3507; 5 CFR 1320.5, 1320.8(d)(1), 1320.12. On November 17, 2011, FRA published a 60-day notice in the **Federal Register** soliciting comment on these ICRs for which the agency is seeking OMB approval. 76 FR 71432. FRA received no comments in response to this notice.

Before OMB decides whether to approve these proposed collections of information, it must provide 30 days for public comment. 44 U.S.C. 3507(b); 5 CFR 1320.12(d). Federal law requires OMB to approve or disapprove paperwork packages between 30 and 60 days after the 30 day notice is published. 44 U.S.C. 3507 (b)-(c); 5 CFR 1320.12(d); *see also* 60 FR 44978, 44983, Aug. 29, 1995. OMB believes that the 30 day notice informs the regulated community to file relevant comments and affords the agency adequate time to digest public comments before it renders a decision. 60 FR 44983, Aug. 29, 1995. Therefore, respondents should submit their respective comments to OMB within 30 days of publication of this Notice to best ensure having their full effect. 5 CFR 1320.12(c); *see also* 60 FR 44983, Aug. 29, 1995.

The summary below describes the nature of the information collection requirements (ICRs) and the expected burden being submitted for clearance by OMB as required by the PRA.

*Title:* Control of Alcohol and Drug Use in Railroad Operations

*OMB Control Number:* 2130-0526

*Type of Request:* Extension without change of a previously approved collection.

*Affected Public:* Businesses

*Abstract:* The information collection requirements contained in pre-employment and “for cause” testing regulations are intended to ensure a sense of fairness and accuracy for railroads and their employees. The principal information – evidence of unauthorized alcohol or drug use – is used to prevent accidents by screening personnel who perform safety-sensitive service. FRA uses the information to measure the level of compliance with regulations governing the use of alcohol or controlled substances. Elimination of this problem is necessary to prevent accidents, injuries, and fatalities of the nature already experienced and further reduce the risk of a truly catastrophic accident.

*Form Number:* FRA F 6180.73, 6180.74, 6180.94A, 61880.94B

*Total Annual Estimated Burden Hours:* 31,797 hours

*Addressee:* Send comments regarding this information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 Seventeenth Street, N.W., Washington, D.C., 20503, Attention: FRA Desk Officer. Comments may also be sent via e-mail to OMB at the following address: [oir-submissions@omb.eop.gov](mailto:oir-submissions@omb.eop.gov).

*Comments are invited on the following:* Whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department’s estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the collection of information on

respondents, including the use of automated collection techniques or other forms of information technology.

A comment to OMB is best assured of having its full effect if OMB receives it within 30 days of publication of this notice in the Federal Register.

**Authority:** 44 U.S.C. 3501-3520.

Issued in Washington, DC on January 18, 2012.

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Michael Logue  
Acting Director, Office of Financial Management  
Federal Railroad Administration

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